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PATENTAttorney Reference Number 4810-58741
Application Number 09/806,708**REMARKS**

Claims 1, 7, 13 and 15-38 are pending. Claims 26-28 and 32-38 stand withdrawn from consideration as a non-elected invention under a final restriction requirement. By the present amendment, claims 7, 22, and 25-38 are canceled, without prejudice.

Applicants have considered each of the rejections raised, and offer the following amendments and remarks in response. The amendments are appropriate after final as they only delete the claims or adopt suggestions of the Examiner, and they place the application in better position for allowance or Appeal. A Notice of Appeal is filed herewith. Reconsideration of the rejections is respectfully requested.

Specification

The web address on page 7, lines 1-33, of the specification, which was objected to by the Examiner, has been deleted.

Rejections Under 35 U.S.C. § 112

The specification is objected to and the claims rejected under 35 U.S.C. § 112 on the basis, according to the Applicants' understanding, of alleged inadequate written description and enablement. The Examiner appears to agree that claims to SEQ ID NO: 15, and the use thereof for seed-specific expression, are adequately enabled and described, but asserts that claims drawn to sequences that hybridize under stringent conditions to SEQ ID NO: 15, or to broader sequences that exhibit a high degree of identity to SEQ ID NO: 15, are not enabled or described. While Applicants submit that the specification provides both sufficient enablement and adequate written description for the broader sequences, to expedite prosecution, the claims have been amended to recite SEQ ID NO: 15 alone and Applicants therefore request that these rejections be withdrawn. Applicants reserve the right to prosecute the broader claims in any future related application, and respectfully request that the Examiner not renew claim rejections under 35 U.S.C. § 112 in the above-referenced case.

Acknowledgement of Prior Filings

Applicants request that the Examiner please acknowledge certain documents previously filed in this matter, for which no acknowledgement has yet been received. Copies of the indicated Papers, accompanying transmittal letters, and Postcards showing the date of receipt at the Patent Office are